

11. Support for the amendments may be found in the Specification at, for example, p. 20, ll. 1-10, p. 20, ll. 24-30, and Fig. 11. In addition, Applicants have further amended claim 1 to recite a method implemented by a computer. Moreover, Applicants have amended claims 6-7, 9-10, and 18-19 to recite a computer-readable medium. Upon entry of this Amendment, claims 1-2, 4-7, 9-12, and 14-21 remain pending and under current examination.

In the Office Action, the Examiner took the following actions:

- (1) rejected claims 1, 2, 4, and 5 under 35 U.S.C. § 101 as failing to meet the machine-or-transformation test;
- (2) rejected claim 6 under 35 U.S.C. § 101 as being directed to non-statutory subject matter;
- (3) rejected claims 1, 2, 4, 6, 7, 9, 11, 12, and 14-21 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,946,669 ("Polk") in view of United States Code governing child support payments, particularly 42 U.S.C. § 666(b) ("USC1") and 15 U.S.C § 1673 (b) ("USC2");
- (4) rejected claims 5, 10, and 15 under 35 U.S.C. § 103(a) as being unpatentable over Polk in view of USC1 and USC2, and further in view of Single Parent Central (www.singleparentcentral.com, retrieved from

(...continued)

Applicants decline to automatically subscribe to any statement or characterization in the Office Action.

www.archive.org, date range: 10/13/1999-1/19/2000)

("SPC").

Applicants respectfully traverse the above rejections for reasons presented as follows.

Rejection of Claims 1, 2, 4, and 5 under 35 U.S.C. § 101:

The Office Action asserts that independent claim 1 "fails to meet the machine-or-transformation test, and therefore, fails to satisfy § 101 requirements." Office Action, pp. 2-3. In response to this rejection, and without conceding to the Office Action's assertions, Applicants have amended independent claim 1 to recite a method tied to a particular machine, namely, a computer, wherein various operations are performed. Applicants submit that the amendment meets the machine-or-transformation test, and overcomes the 35 U.S.C. § 101 rejection, and independent claim 1 is therefore allowable. Dependent claims 2, 4, and 5 are also allowable, at least by virtue of their dependence from independent claim 1. Accordingly, Applicants respectfully request withdrawal of the 35 U.S.C. § 101 rejection.

Rejection of Claim 6 under 35 U.S.C. § 101:

The Office Action asserts that claim 6 is directed to non-statutory subject matter. See Office Action, pp. 3-4. In response to this rejection, and without conceding to the Office Action's assertions regarding alleged non-statutory subject matter, Applicants have amended claim 6 to recite a computer-readable medium, which is clearly a statutory "manufacture" under 35 U.S.C. § 101. See M.P.E.P. § 2106.01. Applicants submit that the amendments overcome the 35 U.S.C. § 101 rejection, and independent

claim 6 is therefore allowable. Accordingly, Applicants respectfully request withdrawal of the 35 U.S.C. § 101 rejection.

Rejection of Claims 1, 2, 4, 6, 7, 9, 11, 12, and 14-21 under 35 U.S.C. § 103(a)

Applicants respectfully traverse the rejection of claims 1, 2, 4, 6, 7, 9, 11, 12, and 14-21 under 35 U.S.C. § 103(a) as being unpatentable over Polk in view of USC1 and USC2.

The Office Action has not properly resolved the *Graham* factual inquiries, as required to establish a framework for an objective obviousness analysis. See M.P.E.P. § 2141(II), citing to *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), as reiterated by the U.S. Supreme Court in *KSR International Co. v. Teleflex Inc.*, 550 U.S. ___, 82 USPQ2d 1385 (2007). In particular, the Office Action has not properly ascertained the differences between the claimed invention and the prior art, at least because the Office Action has not correctly interpreted the prior art and considered both the invention and the prior art as a whole. See M.P.E.P. § 2141(II)(B).

Polk does not disclose or suggest Applicants' claimed "receiving identification information from the user," "determining, from the identification information, if the user is the custodial parent or the non-custodial parent," and "providing, only after determining the user is the custodial parent, an customized interface," as recited in amended claim 1 (emphases added). In contrast, as the Office Action acknowledged, Polk only discloses "tracking payment and disbursement information for individual initiators ... and wherein the saved information is available to terminal devises." Office Action, p. 7. That is, Polk's method does not distinguish the user type when providing payment and disbursement information on terminal devises. Therefore, Polk's method does not

include "receiving identification information from [a] user" and subsequently "determining ... if the user is the custodial parent (payee) or the non-custodial parent (payer)," as recited in amended claim 1. Applicants' claimed steps of "providing an customized interface ... to retrieve tracking information" and "displaying ... the retrieved tracking information" are both customized to "the custodial parent," "only after determining the user is the custodial parent." This is clearly different from Polk's teachings.

USC1 and USC2 do not cure the deficiencies of Polk, because neither of them disclose or suggest anything about determining a user's identification and providing a customized interface. Therefore, in view of the reasoning presented above, Applicants submit that independent claim 1 is not obvious over Polk, USC1 and USC2, whether taken alone or in combination. Independent claim 1 should be allowable.

Independent claims 6 and 11, while different in scope, recite elements similar to independent claim 1, and should also be allowable for the same reasons as claim 1. Dependent claims 2, 4, 7, 9, 12, and 14-21 should also be allowable at least by virtue of their respective dependence from independent claim 1, 6, or 11. Accordingly, Applicants request the withdrawal of the 35 U.S.C. § 103(a) rejection of these claims.

Rejection of Claims 5, 10, and 15 under 35 U.S.C. § 103(a):

Applicants respectfully traverse the rejection of claims 5, 10, and 15 under 35 U.S.C. § 103(a) as being unpatentable over Polk in view of USC1 and USC2, and further in view of SPC.

As explained above, Applicants have established that Polk, USC1 and USC2, whether taken alone or in combination, do not disclose or suggest all elements of Applicants' independent claims 1, 6, and 11. SPC does not cure the deficiencies of Polk, USC1 and USC2, as to independent claim 1, 6, or 11. For example, as the Office Action acknowledges, SPC only discloses a website with frequently asked questions for helping users with custodial payment processes. See Office Action, p. 9. However, SPC does not disclose or suggest Applicants' claimed "receiving identification information," "determining ... if the user is the custodial parent or the non-custodial parent," and "providing ... customized interface," as recited in amended claim 1 (claims 6 and 11 containing similar recitations). Therefore, independent claims 1, 6, and 11 are not obvious over Polk, USC1, USC2, and SPC, whether taken alone or in combination, and should be allowable. Dependent claims 5, 10, and 15 should also be allowable at least by virtue of their respective dependence from independent claim 1, 6, or 11. Accordingly, Applicants request the withdrawal of the 35 U.S.C. § 103(a) rejection.

Conclusion

In view of the foregoing amendments and remarks, Applicants respectfully request reconsideration and reexamination of this application and the timely allowance of the pending claims.

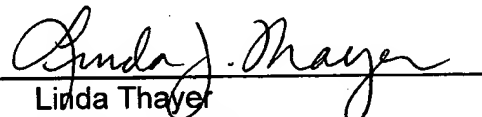
Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: April 3, 2009

By:


Linda Thayer
Reg. No. 45,681